



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

March 30, 2024

VIA ECF

Hon. Mary Kay Vyskocil
United States District Judge
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Doe I, et al. v. United States of America*, 24-cv-01071 (MKV)

Dear Judge Vyskocil:

My office represents defendant the United States of America in the above-referenced action brought under the Federal Tort Claims Act (the “FTCA”). I write in response to your March 4, 2024, order directing the Government to respond to Plaintiffs’ motion for leave to proceed anonymously. ECF No. 7.

The Government takes no position on Plaintiffs’ motion, with two caveats. First, we reserve the right to reopen down the road the issue of whether Plaintiffs can continue proceeding anonymously. Second, we ask that the Court set an April 8, 2024, deadline for Plaintiffs’ counsel to privately disclose to us the federal judicial district(s) in which each plaintiff resides (*e.g.*, the Southern District of New York). Plaintiffs’ counsel have refused to provide this information to the Government prior to discovery, even though the Government needs the information to assess whether Plaintiffs’ complaint has adequately alleged venue. *See* 32 CFR § 750.32(a) (providing that venue in an FTCA action is only proper “in the judicial district where the plaintiff resides or where the act or omission complained of occurred”).

The Government thanks the Court for its consideration.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

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cc: Plaintiffs’ Counsel (via ECF)